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CRL OP(MD).



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 04/05/2023

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.8486 of 2023

Rajiv ... Petitioner/2nd Accused

Vs

The State rep.by,
The Inspector of Police,
Karur Town Police Station,
Karur District.
Cr.No.286/2023.

... Respondent/Complainant

For Petitioner : M/s. Maniyarasu.K.C,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

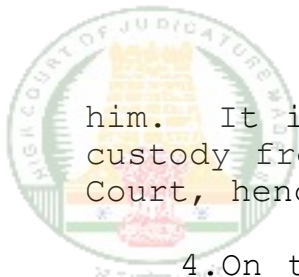
For Bail in Crime No. 286/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 17.04.2023 for the offences punishable under sections 3(1),4(1) and 5(1)(d) of Immoral Traffic (Prevention) Act, 1956 in Crime No.286 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the respondent police received secret information that some illegal activities had been done in Apple Spa massage centre. Therefore the respondent police went to the said massage centre and found two girls involved in prostitution, hence the case.

3. On the side of the petitioner, it is stated that the petitioner/A2 is innocent and a false case has been foisted against



him. It is also further stated that the petitioner is in judicial custody from 17.04.2023 and the co-accused was granted bail by this Court, hence he seeks bail.

4. On the side of the prosecution, it is stated that there are totally three accused in this case and the petitioner herein is arrayed as A2. It is further stated that the petitioner herein convinced the parties and bring them to spa centre and they misused the above centre for doing illegal activities. Further two girls have been rescued from the centre, hence he objected to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also period of incarceration and also the fact that no previous case is pending against the petitioner and also the fact that co-accused was granted bail by this Court, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the Additional Mahila Court, Karur

[b] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[c] the petitioner shall report before the respondent police daily at 10.30 A.M., and 5.30 P.M., for a period of three weeks and thereafter as and when required for interrogation.

[d] the petitioner shall not commit any offences of similar nature.

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].



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[h] If the accused thereafter absconds, a fresh FI registered under Section 229A IPC.

sd/-

04/05/2023

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04/05/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

TO

1. THE JUDGE,
ADDITIONAL MAHILA COURT, KARUR.
- 2 THE OFFICER IN CHARGE,
SUB JAIL,
KARUR.
3. THE INSPECTOR OF POLICE,
KARUR TOWN POLICE STATION,
KARUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.MANIYARASU.K.C, Advocate (SR-7192[I] dated
04/05/2023)

ORDER

IN

CRL OP(MD) No.8486 of 2023

Date :04/05/2023

RK/BUC/SAR-(04/05/2023) 3P/6C